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May 18, 2022

**VIA ECF**

Honorable Paul A. Engelmayer  
United States District Judge  
United States District Court  
Southern District of New York  
40 Foley Square  
New York, New York 10007

Re: *S.F. et al. v. New York City Department of Education*, 22-CV-11147  
(PAE)

Dear Judge Engelmayer:

I am the Assistant Corporation Counsel assigned to the defense of the New York City Department of Education (DOE) in above-referenced action brought under the Individuals with Disabilities Education Act, 20 U.S.C. § 1400, *et seq.*, in which Plaintiffs seek implementation of the administrative orders directing reimbursement for tuition and to recover attorney's fees incurred in the course of the administrative proceedings and the instant action. I write jointly with Plaintiffs' counsel in response to the Court's Order, dated April 28, 2022. Dkt. No. 17.

The parties anticipate resolving this matter through a negotiated settlement, and do not believe that discovery or an initial pre-trial conference are necessary. Accordingly, the parties request that the initial pretrial conference be adjourned *sine die*, and to forgo the submission of a proposed Civil Case Management Plan and Scheduling Order.

Plaintiffs allege that there is an outstanding balance of \$9,266.25 for homework help that is still owed; Defendant is looking into this issue, and, if true, hopes to provide reimbursement promptly. Plaintiffs have provided Defendant with the billing invoices for the administrative and federal actions to resolve the issue of attorneys' fees and costs.

In the event the parties are unable to successfully resolve the issue of attorney's fees and costs through settlement, the parties propose the following briefing schedule to resolve the matter through dispositive motion practice:

- Plaintiffs' motion for summary judgment will be due on July 18, 2022
- Defendant's opposition will be due on August , 2022
- Plaintiffs' reply will be due on September 1, 2022

Thank you for your consideration of this matter.

Respectfully,

/s/

Sharon Sprayregen  
Assistant Corporation Counsel

cc: William DeVinney (by ECF)  
Attorney for Plaintiffs

The Court grants the parties' motion to adjourn the initial pretrial conference in this case. However, absent a notice of settlement, the Court schedules a new conference for June 14, 2022, at 3:30 p.m. SO ORDERED.



PAUL A. ENGELMAYER  
United States District Judge

Dated: May 19, 2022